

CASE NO. PD-0322-21

*TO THE COURT OF CRIMINAL APPEALS  
OF THE  
STATE OF TEXAS*

FILED  
COURT OF CRIMINAL APPEALS  
5/26/2021  
DEANA WILLIAMSON, CLERK

**SAMUEL CRAWFORD PATTERSON,  
Appellant**

**V.**

**STATE OF TEXAS,  
Appellee**

ON APPEAL FROM THE COURT OF APPEALS  
FOR THE TENTH JUDICIAL DISTRICT, WACO, TEXAS  
CAUSE NO. 10-19-00243-CR

**APPELLANT'S MOTION TO EXTEND TIME TO FILE REPLY  
TO STATE'S PETITION FOR DISCRETIONARY REVIEW**

SAMUEL CRAWFORD PATTERSON, Appellant, files this Motion to  
Extend Time to File Reply to State's Petition for Discretionary Review and would  
show the Court the following:

On December 9, 2020 the Tenth Court of Appeals in Waco, Texas issued  
their Memorandum Opinion in Cause No. 10-19-00243-CR, *Samuel Crawford  
Patterson v. State of Texas*, reversing the Trial Court Judgment. The State filed a  
Motion for Rehearing on January 4, 2021. The Tenth Court of Appeals denied the  
State's Motion for Rehearing on April 28, 2021. The State filed their Petition for

Discretionary Review (“PDR”) on May 12, 2021. The deadline to file a Reply to the State’s Petition for Discretionary Review is May 27, 2021.

Since the filing of the State’s PDR on May 12, 2021, Counsel has been involved in the following:

- *State of Texas v. Rufus Edward Lockett*, Cause No. 19-01097-CRF-85, 85<sup>th</sup> District Court of Brazos County, Texas – Capital Murder Death Penalty case – Draft, research and briefing on Motion to Suppress Statements filed with the trial court on May 17, 2021;
- *State of Texas v. Ryan Carter Lemon*, Cause No. & 18-01720-CRF-85, 85<sup>th</sup> District Court of Brazos County, Texas – The undersigned was required to prepare for and meet client and witnesses, including mental health experts, for a full day punishment hearing scheduled and heard on May 19, 2021;
- *State of Texas v. Holden Douglas Crucet*, Cause No. 18-04890-CRF-272, 272<sup>nd</sup> District Court of Brazos County, Texas – The undersigned was appointed appellate counsel fourteen (14) days following sentencing. The undersigned was required to do post-sentencing investigation, including meetings with client, client’s family, original trial counsel and a forensic psychologist; Additionally, Counsel drafted and filed a Motion for New Trial on May 17, 2021 alleging trial counsel IAC claims;
- *State of Texas v. James Dudley Krolczyk*, Cause Nos. 18-12-20783CR and 18-12-20784-CR, 82<sup>nd</sup> District Court of Robertson County, Texas – Manslaughter and Aggravated Assault prosecution – The undersigned prepared for jury trial setting scheduled for May 18, 2021, including experts, witnesses, client and client’s family. A negotiated plea was reached and the case was pled to lesser offenses on May 17, 2021.

Appellant requests an additional fourteen (14) days in which to file his Reply to State’s PDR with the Court of Criminal Appeals. The Reply will be due on

**Thursday, June 10, 2021.** This is Appellant's first request for an extension of time to file the Reply to State's PDR.

THEREFORE, Appellant requests the following:

1. Extension of fourteen (14) days to **Thursday, June 10, 2021** to file the Reply to State's Petition for Discretionary Review;
2. General relief.

RESPECTFULLY SUBMITTED,

*LAW OFFICE OF LANE D. THIBODEAUX  
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BY:           /s/ LANE D. THIBODEAUX            
*LANE D. THIBODEAUX  
State Bar No. 19834000  
Attorney for Appellant*

### **Certificate of Service**

I certify that a true and correct copy of this Motion for Extension of Time to File Reply to State's Petition for Discretionary Review was forwarded to counsel of record listed below via electronic filing on the 26<sup>th</sup> day of May, 2021:

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/s/ LANE D. THIBODEAUX  
LANE D. THIBODEAUX

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Associated Case Party: Brazos County District Attorney's Office

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